

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

SWIFT TECHNICAL SERVICES, LLC
D/B/A AIRSWIFT,

Defendant.

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Civil Action No. 2:20-CV-231

UNOPPOSED MOTION TO DISMISS WITH PREJUDICE

Plaintiff Equal Employment Opportunity Commission (“EEOC”) hereby files this motion to dismiss this cause with prejudice and with each party bearing their own costs and attorneys’ fees.

I. ARGUMENT

Plaintiff filed this lawsuit under the ADAAA on behalf of Joel Saenz, a former employee of Defendant who filed a Charge of Discrimination with the EEOC after Defendant terminated his employment. (Dkt. No. 1). Defendant, Swift Technical Services, LLC, (“Defendant” or “Airswift”) filed a Motion for Judgment on the Pleadings on November 30, 2020. (Dkt. No. 8). Based on a review of the motion and its exhibits, and in consultation with Defendant’s counsel, the EEOC became aware of additional facts and has decided not to pursue the case.

II. Conclusion

For the foregoing reasons, the Court should grant this Unopposed Motion to Dismiss with Prejudice.

Respectfully submitted.

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION**

By: /s/ Philip Moss
Sharon Fast Gustafson
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

Plaintiff conferred with counsel for Defendant on December 18, 2020 and Defendant indicated that they are unopposed to the relief sought in this motion.

/s/ Philip Moss
Philip Moss

CERTIFICATE OF SERVICE

I hereby certify that on this the 21st day of December 2020, a true and correct copy of the foregoing document was served, via the Court's CM/ECF system, on the following counsel of record:

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/s/ Philip Moss
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